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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEIGHTON TECHNOLOGIES LLC,

Plaintiff and Counterclaim Defendant,

v.

OBERTHUR CARD SYSTEMS, S.A.,
OBERTHUR CARD SYSTEMS OF AMERICA
CORPORATION

Defendants and Counterclaim Plaintiffs.

04 Civ. 02496 (CM)(LMS)

NOTICE OF ELECTION

PLEASE TAKE NOTICE that Defendants and Counterclaim Plaintiffs Oberthur Card Systems, S.A. and Oberthur Card Systems of America Corporation may rely upon advice of counsel, in the form of the attached opinion of George H. Gerstman of Seyfarth Shaw LLP dated September 24, 2004 and the appendix thereto, as a defense to plaintiff Leighton Technologies LLC's allegations of willful infringement.

Dated: New York, New York
December 16, 2005

BAKER & McKENZIE LLP

s/
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